



S/N 09/759,056

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	PENNICA ET AL.	Examiner:	M. BORIN
Serial No.:	09/759,056	Group Art Unit:	1631
Filed:	JANUARY 11, 2001	Docket No.:	11669.163USU1
Confirmation No.:	1938	Customer No.:	23552
Title:	NOVEL STRA6 POLYPEPTIDES		

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV 371503636 US  
Date of Deposit: March 31, 2005

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop Amendment, Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450.

By:   
Name: Sheryl A. Boerboom

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(c))

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted after the mailing date of a first Office Action on-the-merits or a first Office Action after filing a Request for Continued Examination under 37 C.F.R. § 1.114 or a CPA under 37 C.F.R. § 1.53(d), but before the mailing date of: i) a final action under 37 C.F.R. § 1.113; ii) a Notice of Allowance under 37 C.F.R. § 1.311; or iii) an action that otherwise closes prosecution on the application. Enclosed is a check in the amount of \$180.00 under 37 C.F.R. § 1.17(p) for consideration of the items listed on the enclosed Form 1449.

Applicants advise the Examiner of copending application Serial No. 09/816,653.

In accordance with 37 C.F.R. § 1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided.

04/04/2005 SHINASS1 00000040 09759056

01 FC:1806

180.00 DP

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.


Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

Date: March 31, 2005

Katherine M. Kowalchuk  
Katherine M. Kowalchuk  
Reg. No. 36,848



<b>FORM 1449*</b>  <b>INFORMATION DISCLOSURE STATEMENT</b>  <b>IN AN APPLICATION</b> (Use several sheets if necessary)	Docket Number: 11669.163USU1	Application Number: 09/759,056
	Applicant: PENNICA ET AL.	
	Filing Date: January 11, 2001	Group Art Unit: 1631

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	4,997,852	03/05/1991	Minton et al.			
	2003/0149239 A1	08/07/2003	Baker et al.			
	2003/0187201 A1	10/02/2003	Baker et al.			
	2003/0187202 A1	10/02/2003	Baker et al.			
	2003/0187203 A1	10/02/2003	Baker et al.			
	2003/0021788 A1	11/30/2003	Pennica et al.			


## FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	WO 93/17041	09/02/1993	PCT				

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Alberts, B. et al., "Gene Expression Can Be Controlled by a Change in mRNA Stability", <i>Molecular Biology of the Cell</i> , Chap. 9, pp. 464-466 (1994)
	Bowie, J. et al., "Deciphering the Message in Protein Sequences: Tolerance to Amino Acid Substitutions", <i>Science</i> , 247:1306-1310 (1990)
	Brown, A. et al., "Wnt signaling in breast cancer: have we come full circle?", <i>Breast Cancer Res.</i> , 3:351-355 (2001)
	Burgess, W. et al., "Possible Dissociation of the Heparin-binding and Mitogenic Activities of Heparin-binding (Acidic Fibroblast) Growth Factor-1 from Its Receptor-binding Activities by Site-directed Mutagenesis of a Single Lysine Residue", <i>The Journal of Cell Biology</i> , 111:2129-2138 (1990)
	Chu, F-F et al., <i>J. Nutr.</i> , 129:1846-1854 (1999)
	Fu, L. et al., "Translational regulation of human p53 gene expression", <i>EMBO Journal</i> , 15(16):4392-4401 (1996)
	Mallampalli, R. et al., "Betamethasone modulation of sphingomyelin hydrolysis up-regulates CTP:cholinephosphate cytidylyltransferase activity in adult rat lung", <i>Biochem. J.</i> , 318:333-341 (1996)
	Molenaar et al., "XTcf-3 Transcription Factor Mediates $\beta$ -Catenin-Induced Axis Formation in <i>Xenopus</i> Embryos", <i>Cell</i> , 86:391-399 (1996)
	Moon, R. et al., "The Promise and Perils of Wnt Signaling Through $\beta$ -Catenin", <i>Science</i> , 296:1644-1646 (2002)
	Nusse, R. et al., "Wnt Genes", <i>Cell</i> , 69:1073-1087 (1992)
	Scott, D. et al., "The Pendred syndrome gene encodes a chloride-iodide transport protein", <i>Nature Genetics</i> , 21:440-443 (1999)

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

 <b>FORM PTO-1449</b> <b>INFORMATION DISCLOSURE STATEMENT</b> <b>IN AN APPLICATION</b> (Use several sheets if necessary)	Docket Number: 11669.163USU1	Application Number: 09/759,056
	Applicant: PENNICA ET AL.	
	Filing Date: January 11, 2001	Group Art Unit: 1631
	Smalley, M. et al., "Wnt Signaling and Mammary Tumorigenesis", <i>Journal of Mammary Gland Biology and Neoplasia</i> , 6(1):37-52 (2001)	
	American Cancer Society, <i>Cancer Facts and Figures</i> , Atlanta, Georgia: American Cancer Society, Inc., pp. 1-44 (2002)	
	Blast Alignments of SEQ ID NO:1 and SEQ ID NO:4 with sequences of AI 684707; AI 760170 and SEQ ID NO:36 of WO 98/54963 dated January 29, 2004	

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

BEST AVAILABLE COPY

UTILITY/DESIGN PATENT

Date: 7/12/01

(miscellaneous)

Date of O.A.: NONE

Rec'd in the U.S.P.T.O. on the date stamped hereon via Certificate of Mail:

Atty. Dkt. # Genl. 2827A2 A/N: 09/759,016 Filed: 1-11-01

Pat. # N/A Issued: N/A Atty: GRD

Exr. # Unknown Batch #: — Art Unit: 1645

Applicant: Panasonic et al. Title: NOVEL STRAG...

VERIFIED BY: Asst: Carla Brub Quality Control: J

☐ Notice of Appeal in Duplicate

☒ Transmittal in Duplicate

☐ Appeal Brief in \_\_\_\_\_ pgs. in Triplicate

☐ \$\_\_\_\_\_ Check for Appeal

☐ Certificate of Correction in Duplicate

☐ \$\_\_\_\_\_ Check for Oral hearing

☐ Request to Make of Record Noted Errors

☐ Maintenance Fee Transmittal in Duplicate ☒ Supplemental IDS

☐ \$\_\_\_\_\_ Check for Maintenance Fee ☒ PTB 1449 with 4 References

☒ Return Postcard

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PATENT

Case Docket No. GENENT.2827A2  
Date: July 9, 2001



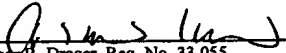
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Pennica et al.  
Appl. No. : 09/759,056  
Filed : January 11, 2001  
For : NOVEL STRA6  
POLYPEPTIDES  
Examiner : Unknown  
Group Art Unit : 1645

I hereby certify that this correspondence and all  
marked attachments are being deposited with the  
United States Postal Service as first class mail in  
an envelope addressed to: Assistant Commissioner  
for Patents, Washington, D.C. 20231, on

September 12, 2001

(Date)

  
Ginger R. Dreger, Reg. No. 33,055

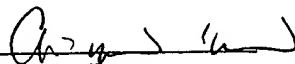
TRANSMITTAL LETTER

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231  
ATTENTION: APPLICATION BRANCH

Dear Sir:

Enclosed for filing in the above-identified application are:

- (X) A Supplemental Information Disclosure Statement.
- (X) A PTO Form 1449 with 4 references.
- (X) The Commissioner is hereby authorized to charge any additional fees, which may be required, or credit any overpayment, to Account No. 11-1410.
- (X) Return prepaid postcard.

  
Ginger R. Dreger  
Registration No. 33,055  
Attorney of Record

IGNENT.2827A2

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicant : Pennica et al. ) Group Art Unit 1645  
App. No. : 09/799,056 )  
Filed : January 11, 2001 )  
For : NOVEL STRA6 )  
POLYPEPTIDES )  
Examiner : Unknown )

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Enclosed is form PTO-1449 listing references that are also enclosed. This Information Disclosure Statement is being filed before the receipt of a first Office Action on the merits, and presumably no fee is required in accordance with 37 C.F.R. § 1.97(b)(3). If a first Office Action on the merits was mailed before the mailing date of this Statement, the Commissioner is authorized to charge the fee set forth in 37 C.F.R. § 1.17(p) to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: September 12, 2001

By: Ginger R. Dreger

Ginger R. Dreger  
Registration No. 33,055  
Attorney of Record  
620 Newport Center Drive  
Sixteenth Floor  
Newport Beach, CA 92660  
(415) 954-4114

FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.  
GENENT.2827A2APPLICATION NO.  
09/759,056INFORMATION DISCLOSURE STATEMENT  
BY APPLICANT

(USE SEVERAL SHEETS IF NECESSARY)

APPLICANT  
Pennica et alFILING DATE  
January 11, 2001GROUP  
1645

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	1.	WO9854963	12.10.98	PCT				
	2.	WO0112660	2.22.01	PCT				

EXAMINER  
INITIAL

## OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)

	3.	Database EMBL'Online! Entry/Acc. No. AI684707 28 May, 1999 STRAUSBERG R.: "wa85B10.X1 Soares-NFL_T_GBC_S1 Homo Sapiens cDNA clone image:2302939 3'. mRNA sequence." XP0021749857
	4.	Database EMBL'Online! Entry/Acc. No. AI7601070 30 June, 1999 STRAUSBERG R.: "wg58f06.X1 Soares-NSF-F8.9W_OT_PA_P_S1 Homo Sapiens cDNA clone image:2369315 3'. mRNA sequence." XP002174858

EXAMINER

DATE CONSIDERED

\*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.